

Chapter 12

Recreation

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12.1 Primary Issues

Comment O-1.417

p.12-1. Based on the extensive use of this site, it appears that there is a lack of recreationally opportunities on Maury Island. Therefore, the DEIS should evaluate the use of this site for recreation rather than for mining as a feasible alternative. Please add this alternative to those analyzed in the EIS.

Ortman, David

Response

For private proposals, alternatives considered under SEPA must be those that achieve or reasonably approximate the project's objectives.

Converting the site for recreational purposes would not be within the scope of the EIS, since the EIS considers only the environmental impacts of the private proposal, as well as alternatives (and mitigation measures) for specific adverse impacts. These measures must be reasonable, in proportion to the specific impact, and within King County's substantive authority under SEPA. The site is privately owned, and the proposal would be privately funded and operated. King County does not have the legal authority to take the property against the will of its owners for recreational use of Maury Island residents, and such an alternative is not available to the decision-maker. Therefore, your suggested alternative has not been added to the EIS.

King County has recently opened the Maury Island Marine Park. Those interested in recreational opportunities on the island are encouraged to contact King County Parks for current and planned opportunities.

Should the project be approved and initiated, the community or individuals may wish to work with the operator to develop recreational opportunities at the site.

12.2 Affected Environment

12.2.1 Existing Recreational Facilities in the Vicinity

No comments were received that specifically address this section.

12.2.2 Informal Recreational Use of the Project Site

Recreational Clam Digging

Comment I-17.025

... notes commercial harvests but makes not mention of recreational harvest ... sea cucumbers are recreationally harvested on site ...

Putnam, Joshua

Comment I-17.026

... claims that there are no recreational shellfish beaches (see also 6.2.2).

Putnam, Joshua

Comment I-17.024

(repeated) ... no mention of recreational harvest of geoducks at low tide by residents over the past hundred years.

Putnam, Joshua

Response

Clam digging is noted in the FEIS as an existing use. Recreational use of the site for digging geoducks and other clams would be allowed to continue through coordination with the operator.

12.3 Impacts

12.3.1 Would the project interfere with the public use and enjoyment of any formal or informal recreational sites in the area?

Comment A-1.37

Section 12.3.1.1 p.12-3. We encourage the proponent to pursue agreements addressing liability enabling upland public access to the beach. The additional safety features allowing pedestrian access under the dock during operation is also encouraging.

Washington Department of Natural Resources

Response The Applicant's proposal includes the provision of safe passage through the property. Access along the beach would also be considered as part of the Shoreline Substantial Development Permit that is being considered by King County as part of its review under the King County Shoreline Master Program. The WDFW and WDNR also have jurisdiction for site permits, and these agencies have a mandate to protect and provide public benefits of public land, including recreation. Therefore, under any alternative, public access and passage along the beach would be provided.

Comment Table S11 What is the likelihood that "liability issues can be resolved"? Who owns the shoreline to which access is discussed? Will the public's beach access rights be abridged?
Kuperberg, J. Michael, Ph.D.

Response The shoreline and marine area is public land managed by the WDNR. The Applicant would be liable for injuries inflicted due to their negligence, or as otherwise determined through a court of law.

Comment C-12.020 Land use—There is minimal reference to recreational impacts and changes. Land use changes are prime issues for a cost-benefit analysis.
St. George, Brian

Response A cost-benefit analysis is not a requirement of an EIS. In addition, recreational use of private property, while common for undeveloped properties throughout King County, is not protected under law, since it is an unauthorized use and not a right.

The site is private, and the owners are under no obligation to provide recreation. The Applicant may consider providing viewpoints and use of areas not currently being mined, but King County does not have the authority to require such use. Such provisions would be best obtained through cooperation between the community and the Applicant, should the project be approved and initiated.

Comment A-1.038

Use of the reef habitat created by the sunken barges by recreational divers is a direct conflict with all tug and barge activities. Recreational use of this reef will need to be considered in the monitoring and mitigation plan.

Washington Department of Natural Resources

Response

Loss of dock and associated sunken barges for recreational diving is an unavoidable adverse impact of the proposal. The FEIS includes a potential measure for the Applicant to support efforts to create an underwater park as part of the new Maury Island Marine Park (see Section 12.4.3).

12.4 Adverse Impacts and Mitigation

12.4.1 Significance Criteria

No comments were received that specifically address this section.

12.4.2 Measures Already Proposed by the Applicant or Required by Regulation

No comments were received that specifically address this section.

12.4.3 Remaining Adverse Impacts and Additional Measures

Comment A-1.039

Section 12.4.2 p. 12-5 With the potential conversion of the property to residential uses at the termination of mining, we would encourage the proponent to provide an upland public access grant for beach access with duration beyond their current ownership.

Washington Department of Natural Resources

Response

Comment noted. However, a discussion of future land uses and access issues is beyond the scope of this EIS. The EIS must only evaluate environmental impacts of the proposed activities and need not offer predictions or mitigation associated with land use upon completion of the activity.

12.5 Cumulative Impacts

No comments were received that specifically address this section.

12.6 Significant Unavoidable Adverse Impacts

No comments were received that specifically address this section.

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